

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

DALLAS MCINTOSH, #B85114,

Plaintiff,

v.

WEXFORD HEALTH SOURCES, INC., NANCY
KEEN, and BARBARA RODRIQUEZ,

Defendants.

Case No. 17-cv-00103-JPG

MEMORANDUM AND ORDER

This matter comes before the Court on Defendants Barbara Rodriguez and Wexford Health Sources, Inc.’s (“Defendants”) Motion to File Summary Judgment Exhibit Under Seal (Doc. 212). Defendants request leave to file the transcript of the deposition of Dr. Neil Fisher as corporate representative of Defendant Wexford Health Sources, Inc., under seal. In support, Defendants indicate the testimony from Dr. Fisher’s deposition reference policies and procedures protected by the Protective Order. Defendants indicate counsel for Plaintiff Dallas McIntosh and Defendant Nancy Keen have no objection.

Motions to seal are disfavored because there is a presumption that “[d]ocuments that affect the disposition of federal litigation” should be open to public view. *In re Specht*, 622 F.3d 697, 701 (7th Cir. 2010). Public interest in the judicial process, however, can be overridden if the movant demonstrates “good cause for sealing a part or the whole of the record[.]” *Citizens First Nat’l Bank of Princeton v. Cincinnati Ins. Co.*, 178 F. 3d 943, 945 (7th Cir. 1999).

Defendants argue that they have legitimate privacy needs and confidentiality over the narrow category of materials. Additionally, Defendants cite *Wilkins v. Overall*, No. 16-cv-01324-SPM, 2021 WL 824954, at *1 (S.D. Ill. Mar. 4, 2021). In *Wilkins*, the court found good cause to

seal documents Wexford's medical guidelines as they are proprietary trade secrets. The Court has reviewed Mr. Fisher's deposition, which almost entirely relates to Wexford's policies and procedures. For this reason, the Court finds that Defendants have demonstrated "good cause" to seal Dr. Fisher's transcript.

The Court GRANTS Defendants Motion to Seal and grants Defendants leave to file the requested record under seal. (Doc. 212).

IT IS SO ORDERED.

DATED: February 22, 2023

/s/ J. Phil Gilbert
J. PHIL GILBERT
U.S. DISTRICT JUDGE